

# *An Open Letter to Governor Terry Branstad*

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Governor Branstad:

I write to invite you to join me on what is certain to be an enlightening journey of discovery. I wish to host a two-day (a week would be better, but I know you're busy) tour of Iowa's nursing homes. I also invite Iowa Department of Inspections and Appeals (DIA) Director Rod Roberts to join us.

Recently, through Director Roberts, you fired ten nursing home inspectors. Iowans thought this was part of your plan to slash spending and shrink government. But when the General Assembly, including the Republican controlled Iowa House, appropriated \$650,000 to reinstate those positions, you and Director Roberts took the money and funneled it to other programs. No inspectors were reinstated; this despite the fact your DIA staff and the federal government insist those inspectors are desperately needed. Spending wasn't cut, and the legislature's intent – protecting nursing home residents – was blatantly ignored. I pale to imagine that Rod Roberts, an ordained minister, would turn away from those whom he has nobly and solemnly vowed to “lift up”. It is clear he purposely ignored the will of his former colleagues in the legislature, but I suspect Director Roberts would have taken different action if not for direct orders from you to stand down.

Since you have admittedly forgotten events from your previous tenure as governor, let me refresh your memory. Surely you remember when, in 1995, your own Republican state auditor, Richard Johnson, publicly stated DIA was not in compliance with Iowa's legal requirement to inspect each nursing home at least once every 15 months. In 1997, the state ombudsman examined the state's regulation of nursing homes and found the DIA had – *for eight straight years* – failed to enforce state and federal laws governing the operation of nursing homes. He concluded the department was violating federal law by *failing to penalize care facilities for their neglect of residents, even in cases where deaths had occurred*. Other state agencies criticized you at the time for being “too lenient” on homes where elderly Iowans had been injured or died as the result of abuse or neglect. Certainly a man possessed of any intellectual horsepower at all would remember criticism so scathing. Do you honestly think Iowans buy it when you claim not to remember these reports? What an insult!

At this writing, hundreds of Iowa nursing homes are under citation for egregious, and often deliberate, violations of state and federal law. Many are guilty of multiple infractions and are habitual offenders. This can be traced directly to a culture fostered by you years ago and perpetuated by you now. If our food supply was subject to such lax regulation, countless Iowans would become ill, and perhaps die, of food-borne illness. If OSHA regulations were conveniently ignored, Iowa's workers would be crushed, electrocuted, asphyxiated, buried alive, dismembered, and fall to their deaths in staggering numbers. You get my point. Because of your political choices people are suffering and dying on a regular basis in Iowa's nursing homes. I repeat: suffering and dying on a regular basis. During your campaign you said

you want inspectors to be more collaborative with nursing home operators, to not be so tough on them even though it is their responsibility to regulate them according to the law. That is akin to asking correctional officers in our state penitentiaries to be more collaborative with the state's most violent offenders, to partner up, to go easy on them for heaven's sake.

The larger part of me wants to believe that no one, especially not the governor, could be this callous toward any person or class of people (in this case, elderly persons) living in the state he runs. After all, we know government's primary function is to do for people what they cannot do for themselves. Protecting those who are helpless and vulnerable seems to fit that description quite well. We do not tolerate abuse and neglect of infants and children (helpless and vulnerable); what makes senior citizens in care facilities any different? I conclude then your insensitivity is not born of malice, but of ignorance, a lack of any personal experience with daily life in a nursing home.

Come with me, Governor. We will visit a dozen nursing homes across the state. We will not notify them of our informal inspection. We won't share our itinerary with Jean Yordi, as she gives nursing home operators advance notice that an inspection is coming. We'll just show up. I think you will be surprised, possibly even shocked, at what you see, hear, and smell. I know you will witness lots of nervous nursing home administrators and staff scurrying about, and most certainly scores of residents who will be desperate to tell you of the undignified, shameful, and often horrible things they have witnessed and experienced.

This invitation is genuine. I hope you will accept. For over thirty-five years I have advocated for nursing home residents and persons living with disabilities. I want you to see what I have seen. I want you to witness up close the effects of abuse and neglect. I wager that less than 24 hours after our return, if you are even remotely human, you will double the number of nursing home inspectors on your staff. You will give Rod Roberts a brand new set of tough, meaningful marching orders. Don't worry; your nursing home buddies will be fine. They will still make millions while operating ethically and lawfully. They may even do better. Even though they have given you hundreds of thousands of campaign dollars to encourage you to look askance, surely knowing you have finally done the right thing will reward you in a different, but very significant way.

Warm Regards,



Sylvia Piper